

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: Bair Hugger Forced Air Warming
Products Liability Litigation

MDL No. 2666
(JNE/FLN)

This Document Relates to All Actions

JOINT MOTION REGARDING
CONTINUED SEALING

Documents have been filed under temporary seal in connection with the following motion:

Defendant 3M Company's Motion for Leave to Take Additional Depositions and Continue the Deposition of Dr. Scott Augustine (Doc. No. 413)

Pursuant to LR 5.6, the parties submit this Joint Motion Regarding Continued Sealing.

Dated: June 1, 2017

Respectfully submitted,

/s/ Monica L. Davies

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DKT. NO.	DESCRIPTION OF DOCUMENT	MARK "X" IN APPLICABLE COLUMN			NONPARTY THAT DESIGNATED DOC. CONFIDENTIAL (IF ANY)	REASON WHY DOCUMENT SHOULD REMAIN SEALED OR BE UNSEALED ¹
		Parties Agree Doc. Should Remain Sealed	Parties Agree Doc. Should Be Unsealed	Parties Disagree		
413	Memorandum in Support of Motion to Take Deposition from J. Randall Benham, Brent Augustine, and Dr. Scott Augustine			X		Dkt. No. 413 refers to documents and testimony designated as confidential by Dr. Augustine, and he believes it should remain under seal. 3M does not agree those documents are confidential and notes that Augustine has not identified any provision of the Protective Order that would be applicable. Thus 3M, does not agree they should remain under seal.
416	Exhibit A – Deposition of Dr. Scott Augustine			X	Dr. Scott Augustine	Dr. Augustine designated his testimony as confidential and believes it should remain under seal. 3M does not believe the confidential designation is appropriate, and notes that Augustine has not identified any provision of the Protective Order that would be applicable. Thus, 3M does not agree the transcript should remain sealed.
417	Exhibit B – Deposition Exhibit 15 of Dr. Scott Augustine			X	Dr. Scott Augustine	Dr. Augustine designated this document as confidential, and believes it should remain under seal. 3M does not believe the confidential designation is appropriate, and notes that Augustine has not identified any provision of the Protective Order that would be applicable. Thus, 3M does not agree the document should remain sealed.

418	Exhibit C – Deposition Exhibit 22 of Dr. Scott Augustine			X	Dr. Scott Augustine	Dr. Augustine designated this document as confidential, and believes it should remain under seal. 3M does not believe the confidential designation is appropriate, and notes that Augustine has not identified any provision of the Protective Order that would be applicable. Thus, 3M does not agree the document should remain sealed.
419	Exhibit D – Deposition Exhibit 2 of Dr. Scott Augustine			X	Dr. Scott Augustine	Dr. Augustine designated this document as confidential, and believes it should remain under seal. 3M does not believe the confidential designation is appropriate, and notes that Augustine has not identified any provision of the Protective Order that would be applicable. Thus, 3M does not agree the document should remain sealed.

Plaintiffs take no position with respect to the sealing of these documents for purposes of this motion.

ⁱ This explanation should be very brief. For example:

1. contains information designated as confidential by a nonparty
2. contains information designated as confidential under a non-disclosure agreement between plaintiff and nonparty
3. contains information designated as confidential under a protective order issued in this case [Docket No. XX]
4. discovery materials filed in connection with a motion under Fed R. Civ. P. 37
5. reveals trade secrets of defendant
6. reveals proprietary business methods of plaintiff
7. confidential financial records
8. confidential medical records
9. contains termination information regarding former employees of defendant
10. reveals information regarding a minor

11. contains information ordered sealed by the court on DATE [Docket No. XX]